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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------|-------------|----------------------|---------------------|------------------|
| 08/855,905 | 05/14/1997 | MASAAKI YAMANAKA | 443-17 | 2320 |
| 28249 | 7590 | 12/19/2008 | EXAMINER | |
| DILWORTH & BARRESE, LLP | | | KRUER, KEVIN R | |
| 333 EARLE OVINGTON BLVD. | | | | |
| SUITE 702 | | | ART UNIT | PAPER NUMBER |
| UNIONDALE, NY 11553 | | | 1794 | |
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| | | | 12/19/2008 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
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EXAMINER

ART UNIT PAPER

20081217

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Commissioner for Patents

The reply brief filed January 22, 2008 has been entered and fully considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Applicant's request for an oral hearing filed January 22, 2008 is proper.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin R Kruer whose telephone number is 571-272-1510. The examiner can normally be reached on Monday-Friday from 7:30p.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney, can be reached at 571-272-1510. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Kevin R. Kruer/
Patent Examiner-Art Unit 1794